

Neighborhood Preservation Ordinance

Section 1

WHEREAS, the City Council of the City of **Chetek** (the "Council") is authorized to enact regulations to protect the public welfare, health and safety of its citizens; and WHEREAS, the City of **Chetek** (the "City") has received complaints from residents about the appearance and maintenance of certain properties throughout the City that currently are not violations of the City's Municipal Codes but yet are detrimental to the well being of the City; and WHEREAS, the Council has the firm belief that the current and future values and general welfare of the community are affected significantly by the appearance and maintenance of real property and property values and that implementation of this Chapter will assist in the avoidance of further deterioration of residential and nonresidential areas and be of benefit to the community as a whole.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of **Chetek, Wisconsin**, does hereby declare, determine and order as follows:

1. That the above recitations are true and correct.

2. That the Code of Ordinances of the City of **Chetek, Wisconsin**, is hereby amended by adding section, to be number Chapter 118, which said section reads as follows:

Section 2

Sec. 118-15. PROPERTY APPEARANCE AND MAINTENANCE

(A) Purpose and Intent This Chapter was developed based on the firm belief that the current and future values and general welfare of the community are affected significantly by the appearance and maintenance of real property and property values and that implementation of this Chapter will avoid further deterioration of residential and nonresidential areas and be of benefit to the community as a whole. The purpose and intent of this Chapter is to:

(1) Enhance and promote the maintenance and appearance of real property, both improved and unimproved, and by doing so, improve the livability, appearance and social and economic conditions of the community;

(2) Ensure that real properties, whether improved or unimproved, do not reach such a state of deterioration or disrepair as to cause the depreciation of the value of surrounding property or be materially detrimental to nearby properties and improvements;

(3) Utilize the sanctions and penalties of this Chapter after all reasonable efforts at resolution by educational and nonconfrontational means have been exhausted, it being recognized that voluntary compliance is preferred over all other remedies;

(4) Set forth the requirement that all property within the City of Chetek be maintained and has an appearance that is acceptable to the general public;

(5) Establish the minimum standards for the appearance and maintenance of real property. This Chapter applies to both residential and nonresidential developed properties, as well as undeveloped land. These standards apply to only portions of private property that is visible from the public right-of-way; and

(6) Establish that it is unlawful for any person owning, leasing, occupying or having charge or possession of any property in the City to maintain such property in such manner that any of the conditions as described in this Chapter exist, except as may be allowed by the City code.

Definitions

(a) Best Management Practice – “Best Management Practice” (BMP) means the schedule of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce to the maximum extent practicable the pollution of the waters of the United States. BMPs also include treatment requirements, operating procedures and practices to control site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.

(b) Public right-of-way – “Public right-of-way” shall mean any place owned and maintained by or dedicated to use of the public for the purpose of pedestrian or vehicular travel, including by not limited to a street, sidewalk, curb, gutter, parkway, highway, alley, mall or court. Public right of-way does not include improved or unimproved pedestrian, equestrian or bicycle trails; pathways, walkways, driveways, or similar areas within parks or other City owned property; or easements not previously used for the purpose of pedestrian or vehicular travel.

(c) Property – “Property” shall mean real property and includes buildings and other fixtures and improvements located upon the property and affixed to the land.

(B) Property in General. It shall be unlawful for any person owning, leasing, occupying or having charge of any property within the City of **Chetek** to maintain such property in such manner that any of the following conditions are found to exist thereon:

(1) Outside Storage – It shall be unlawful to maintain outside storage, at a location visible from the public right-of-way, of building material, machinery or other material or equipment, used in or for a business, on any lot within the City, except during the construction on the lot or unless permitted for the particular property. This includes but is not limited to:

(a) Any material used for construction to include, but not limited to lumber, metal, electrical supplies or bricks;

(b) The accumulation of dirt, sand, gravel, concrete, or other similar material not incorporated into landscaped design/areas on the property; and

(c) Boats, trailers, camper shells, recreational vehicles, vehicle parts, furniture or other articles of personal property that are left in a state of partial construction or disrepair.

(2) Graffiti – Graffiti including but not limited to words, symbols or drawings on the exterior of any building, fence, wall, pole, sidewalk, tree or other structure must be removed within fifteen (15) calendar days of written notice to the property owner.

(3) Animal feces – The existence of solid waste such as excessive animal feces or human waste of any kind

(C) Buildings and Structures. It shall be unlawful for any person owning, leasing, occupying or having charge of any building or structure within the City of **Chetek** to maintain such property in such manner that any of the following conditions are found to exist thereon:

(1) General Condition – Buildings or structures that are dilapidated, abandoned, partially destroyed, have broken windows or broken windows secured with wood or other materials, or that are left in an unreasonable state of partial construction or demolition, or disrepair. An unreasonable state is defined as any unfinished building or structure, which has been in the course of construction, demolition or disrepair for one year or more, or where the appearance and other conditions of said building or structure substantially detracts from the appearance of the immediate neighborhood.

(2) Exterior Surfaces – Buildings or structures with damaged or defective building exteriors, that are unpainted (except color coated or natural finish coated), or where the paint on the building exterior is mostly worn off, cracked or peeling; or where roofing or other exterior materials or components are deteriorated, mostly infected with dry rot, or warped so as to constitute an unsightly appearance, or contribute to blight and property degradation **for one year or more**.

(D) Enforcement: Penalty.

(1) City appointed designee to Enforce - It shall be the duty of the City appointed designee or his/her designee to enforce all of the provisions of this ordinance. The City appointed designee or his/her designee shall use any remedy afforded to the City by the **Chetek** Municipal Code including, without limitation, those set forth in Chapters **1, 26, 62, and 118** of this Municipal Code.

(2) Violator Punishable by a Fine(s) – Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a civil infraction, and upon conviction thereof shall be punishable by fine as established in Chapter **1** of the **Chetek** Municipal Code.

(3) Each Day a Separate Offense – Each and every day a violation of any provision of this Chapter exists constitutes a separate distinct violation.

CITY OF CHETEK

By: _____
Dianne K. Knowlton, Mayor

Attest: _____
Carmen Newman, clerk/treasurer

Date passed: _____

Date published: _____